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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/664,294 | 09/18/2000 | Nathan F. Raciborski | 19396-001300US | 3787 |

7590 02/11/2004

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| EXAMINER |
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BATES, KEVIN T

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| ART UNIT | PAPER NUMBER |
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2155

DATE MAILED: 02/11/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/664,294

Applicant(s)

RACIBORSKI ET AL.

Examiner

Kevin Bates

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12-7-2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>10.12</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to a communication received December 17, 2003.

The Information Disclosure statements were received on September 22, 2003 and January 1, 2004 and have been considered.

Claims 1-20 are pending in this action.

Response to Amendment

Claims 1-20, as amended, remain rejected under 35 U.S.C. 102(e) as being anticipated by Tripp (6,516,337).

Regarding claim 1, Tripp discloses a directory (a central catalog) which has a first conduit between the directory and a first site; a second conduit between the directory and a second site (Column 5, lines 47 – 51); a receiver function (Column 5, lines 36 – 38) to accept: a first local catalog of directory information from the first site and a second local content catalog of directory information from the second site (Column 5, lines 38 – 45); a global catalog of directory information that comprises the first local catalog and the second local catalog (Column 5, lines 36 – 38); and **a first timer, wherein the first local catalog is removed from the global catalog if the first site fails to autonomously respond before a first timer expires** (Column 10, lines 11 – 15; Column 5, lines 38 – 42).

Regarding claim 2, Tripp discloses the idea that the first site and second site respectively reports the first local catalog and second local catalog to the receiver function according to a predetermined schedule (Column 6, lines 40 – 44).

Regarding claim 3, Tripp discloses that the first conduit and the second conduit each comprise the Internet (Column 5, lines 12 – 14).

Regarding claim 4, Tripp discloses the idea that the first and second local catalogs provide location information for a plurality of content objects (Column 5, lines 15 – 25).

Regarding claim 5, Tripp discloses the idea that the location information comprises at least a file name (Column 6, lines 13 – 14) and an address (Column 5, lines 14 – 15).

Regarding claim 6, Tripp discloses the idea of a second timer wherein: the second local catalog is removed from the global catalog if the second site fails to **autonomously** respond before the second timer expires (Column 10, lines 11 – 15).

Regarding claim 7, Tripp discloses a search web page and a directory web page that is coupled to the global catalog (Column 9, lines 57 – 60).

Regarding claim 8 and 15, see the rationale for the rejection to claim 1.

Regarding claim 9 and 16, see the rationale for the rejection to claim 2.

Regarding claim 10 and 17, see the rationale for the rejection to claim 3.

Regarding claim 12 and 18, see the rationale for the rejection to claim 4.

Regarding claim 13 and 19, see the rationale for the rejection to claim 5.

Regarding claim 14 and 20, see the rationale for the rejection to claim 6.

Regarding claim 15, see the rationale for the rejection to claim 7.

Response to Arguments

Applicant's arguments filed December 19, 2003 have been fully considered but they are not persuasive. In the applicant's argument, he is mentioning that the applicants invention, the web site initiates the report to the global catalog. In the amended claims, the applicant has the website acting autonomously in response to a message. In the prior art, column 10, lines 11-15, Tripp discloses that his system, checks the web servers from the database looking to determine if there are brochure files present. If the web server does not respond to the validity check with a brochure file, which is located within the web content, Column 5, lines 38 – 43, within the time limit, then the database server determines that the web server is no longer hosting the web content or brochure file. The database server receives the response from the web server, not the site administrator. The site administrator just receives a message in hopes to make him aware of the problem with the site, and perhaps fix the situation before the web server is deleted from the database.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (703) 605-0633. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KB
February 6, 2004


FRANTZ B. JEAN
PRIMARY EXAMINER